

**Zoning Board of Appeals Minutes  
December 17, 2019**

<b>ZBA MEMBERS</b>	<b>ZBA MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>
Jim Racheff- Chair Kenneth Ying Lawrence Aronow Shuan Butcher Bob Sisson-Alternate Member	Steve West	Gabrielle Collard – Division Manager of Current Planning Rachel Depo—Assistant City Attorney Jessica Murphy – Administrative Assistant

**I. ANNOUNCEMENTS:**

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**II. GENERAL PUBLIC COMMENT:**

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**III. APPROVAL OF MINUTES:**

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Approval of the **November 26, 2019** Zoning Board of Appeals Meeting Minutes as published:

**MOTION:** Mr. Butcher moved for approval of the **November 26, 2019** hearing minutes.

**SECOND:** Mr. Aronow

**VOTE:** 4-0

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**IV. PUBLIC HEARING-SWEARING IN:**

*“Do you solemnly swear or affirm that the responses given, and statements made in this hearing before the Zoning Board of Appeals will be the whole truth and nothing but the truth.” If so, answer “I do”.*

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**V. CONTINUANCES:**

**A. ZBA19-1184V, Variance, 201 Spring Bank Avenue**

**MOTION:** Mr. Sisson moved for approval of a continuance to the January 28, 2020 hearing.

**SECOND:** Dr. Ying

**VOTE:** 4-0

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**VI. OLD BUSINESS: None**

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**VII. NEW BUSINESS:**

**B. ZBA19-957NCU, Intensification of Nonconforming Use, Hood College Child Development Lab**

**MOTION:** Mr. Sisson moved for approval of the request for an intensification of a nonconforming use in case ZBA19-957NCU for the existing school at 302 W. 5<sup>th</sup> Street to operate Monday through Friday from 7:00 AM to 6:00 PM serving up to 55 children finding that:

1. The existing lawful nonconforming use of a school will not expand or extend beyond the existing documented boundaries of the nonconforming activity or use on the Property.
2. The proposed intensification of the nonconforming use/activity is within the established historical boundaries and is not expanding beyond those historical, documented boundaries as evidenced by the existing site conditions and photo documentation which will not be altered under the request for intensification.
3. The request for intensification is of the same nature and purpose of the original, lawful nonconforming use.
4. The request for intensification in activity is not of a different character, nature, or kind than the original nonconforming use, but is merely a different manner of utilizing the original, lawful nonconforming use.
5. The request for intensification in activity will not have a different effect upon the neighborhood than the original, lawful nonconforming use.

**SECOND:** Mr. Aronow

**VOTE:** 3-0

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**VIII. BOARD BUSINESS:**

**C. Election of Officers**

**MOTION:** Mr. Aronow moved to re-elect Jim Racheff as Chair of the Board.

**SECOND:** Mr. Butcher

**VOTE:** 4-0

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**MOTION:** Mr. Aronow moved to elect Shaun Butcher as Vice-Chair of the Board.

**SECOND:** Dr. Ying

**VOTE:** 3-0

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**D. Approval of the 2020-2021 ZBA Schedule**

**MOTION:** Mr. Sisson moved to approve the 2020-2021 ZBA Schedule.

**SECOND:** Mr. Aronow

**VOTE:** 3-0

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**IV. ITEMS ADDED TO AGENDA**

**Zoning Determinations Completed:**

- **ZBA19-1199ZD, 520 N Market Street**
- **ZBA19-1201HO, 511 S, Market Street**

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**IX. ADJOURNMENT**

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**Meeting adjourned approximately at 8:00 p.m.**

Respectfully Submitted,  
Jessica Murphy  
Administrative Assistant

APPROVED 01/28/2020